THE HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No.26888 of 2003

DATED:14.03.2006

Between:

Maradani Venkata Appa Rao ..Petitioner

And

A.P. State Council of Higher Education, represented by its Secretary Saifabad, Hyderabad. and others. ..Respondents

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WRIT PETITION No.26888 of 2003

ORDER:

The petitioner appeared for Education Common Entrance Test, 2002 (Ed-cet-2002), seeking admission to B.Ed. regular course during the academic year 2002-2003. After the entrance test, he opted for payment seat in the fourth respondent-College and was admitted in June 2003. It appears, another candidate, by name, Ms. K.Chaitanya, filed a writ petition before this Court seeking a direction to the fourth respondent to admit her. The same was disposed of by this Court. Pursuant to the same, the first respondent issued a direction to the fourth respondent to admit Ms. K.Chaitanya into B.Ed. course. In obedience thereto, the fourth respondent admitted Ms. K.Chaitanya in the place of the petitioner and by letter, dated 22-08-2003, requested the first respondent to permit the petitioner also to continue his studies on mercy grounds. In the meanwhile, the petitioner filed the present writ petition apprehending cancellation of admission.

This Court, while ordering notice before admission, directed the respondents to receive the fee and permit the petitioner to appear for the examination. As he completed the course to a substantial extent, the petitioner paid the fee and also appeared for the examination.

The respondents have not filed any counter-affidavit in spite of service of rule nisi. Learned counsel for Andhra University, however, submits that in obedience to the orders of this Court, the petitioner was permitted to appear for B.Ed. final examination, but his results were not declared. He also submits that in the writ petition, being W.P.No.14325 of 2005, filed by Ms. K.Chaitanya, the petitioner as well as the University are not parties. Taking this into view and also the fact that the petitioner was not a party before this Court in the writ petition filed by Ms. K.Chaitanya, this Court is of the considered opinion that interest of justice would be met by directing the third respondent-University to declare the result of the petitioner immediately. The other question raised in the writ petition as to the competency of the fourth respondent to admit students in excess of the permitted admission is left open to be decided in an appropriate case.

The Writ Petition is accordingly disposed of. No costs.

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(V.V.S.RAO,J)

14.03.2006

Note: Furnish C.C. by 20.03.2006

(B/o) GJ